



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> March 17, 2006 <b>LOCAL EFFECTIVE DATE</b> March 31, 2006 <b>APPROX FINAL EFFECTIVE DATE</b> April 21, 2006	<b>CONTACT/PHONE</b> Ryan Hostetter, Planner (805) 788-2351	<b>APPLICANT</b> Jude and Diedra Basile	<b>FILE NO.</b> DRC2005-00127
<b>SUBJECT</b> Request by Jude and Diedra Basile for a Minor Use Permit/Coastal Development Permit to allow the construction of a new 600 square foot single story guest house to the rear of the existing single family home. The project will result in the disturbance of approximately 600 square feet of a 1.08 acre parcel. The proposed project is within the Residential Single Family land use category and is located at 6404 Buckley Road in the community of Cambria. The site is in the North Coast planning area.			
<b>RECOMMENDED ACTION</b> Approve Minor Use Permit DRC2005-00117 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION</b> A Class 3 Categorical Exemption was issued on February 14, 2006 (ED05-323).			
<b>LAND USE CATEGORY</b> Residential Single Family	<b>COMBINING DESIGNATION</b> Archaeologically Sensitive Area, Local Coastal Program, Terrestrial Habitat, and Sensitive Resource Area.	<b>ASSESSOR PARCEL NUMBER</b> 013-084-037	<b>SUPERVISOR DISTRICT(S)</b> 2
<b>PLANNING AREA STANDARDS:</b> Building Height <i>Does the project meet applicable Planning Area Standards: <b>Yes - see discussion</b></i>			
<b>LAND USE ORDINANCE STANDARDS:</b> Guesthouse Standards, Archaeologically Sensitive Area, Local Coastal Program, Terrestrial Habitat, and Sensitive Resource Area <i>Does the project conform to the Land Use Ordinance Standards: <b>Yes - see discussion</b></i>			
<b>FINAL ACTION</b> This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing.  The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

EXISTING USES: Site contains an existing residence	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residential <i>East:</i> Residential Single Family/residential <i>South:</i> Rural Lands & Recreation/vacant <i>West:</i> Residential Single Family/residential	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Cambria Community Advisory Group, Public Works, Agricultural Commissioners Office, Cambria Fire, Cambria Community Services District, Regional Water Quality Control Board, and the California Coastal Commission	
TOPOGRAPHY: Nearly level to slightly sloping	VEGETATION: Cambria Pines
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: Cambria Fire	ACCEPTANCE DATE: February 6, 2006

## DISCUSSION

### PLANNING AREA STANDARDS:

Building Height: Maximum building height for this area is 28' as measured from average natural grade. The proposed guesthouse is a single story structure with a maximum height of 18'.

### LAND USE ORDINANCE STANDARDS:

Local Coastal Plan: The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

Archaeologically Sensitive Area: A Cultural Resources Inventory was conducted on June 3, 1993 for the property prior to the construction of the existing single family home. The results of that survey were negative, therefore no further studies are required for this property.

Guesthouse Standards: A guesthouse is a sleeping/home office area that does not have an indoor connection to the principal dwelling and does not contain cooking or laundry facilities. There cannot be more than two bedrooms and one bathroom, but there can be a wet bar with one sink and an under the counter refrigerator. The maximum floor area of a guesthouse shall be 40% of the habitable area of the principal dwelling up to a maximum of 600 square feet. The guesthouse must also be located no more than 50 feet from the primary dwelling. This project complies with these standards because the guesthouse is 600 square feet and 50 feet to the rear of the existing 3,000 square foot single family residence.

Terrestrial Habitat: There are some special development standards for projects located within the Terrestrial Habitat (TH) combining designation. Specifically those include revegetation with native plants where vegetation is removed, however this project has been designed to not remove any native species. This project complies with the terrestrial development standards.

### Sensitive Resource Area:

Following are the required findings for development located within a Sensitive Resource Area:

1. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design.
2. Natural features and topography have been considered in the design and siting of all proposed physical improvements.
3. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.
4. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designated to prevent soil erosion, and sedimentation of streams through undue surface runoff.

This project is located within a sensitive resource area because of the Cambria pine forest. The proposed guesthouse does not remove or impact any pines or oaks, and has been sited and designed around the pines on site. The project as proposed complies with all the findings for the sensitive resource area designation.

#### COASTAL PLAN POLICIES:

##### **Public Works:**

*Policy 1: Availability of Service Capacity applies to the project. A letter from Cambria Community Services District for review and approval of any additional fixtures is required prior to building permit issuance.*

##### **Coastal Watersheds:**

*Policy 7: Siting of new development: The proposed project is consistent with this policy because the new guesthouse will be located on an existing lot of record in the Residential Single Family category on a slope less than 20 percent.*

*Policy 8: Timing of new construction: The proposed project is consistent with this policy because the project is required to have an erosion and sedimentation control plan and all sedimentation and erosion control measures will be in place before the start of the rainy season.*

*Policy 10: Drainage Provisions: The proposed project is consistent with this policy because the project is required to have a drainage plan that shows the construction of the new guesthouse will not increase erosion or runoff.*

##### **Hazards:**

*Policy 1: New Development: The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.*

*Policy 2: Erosion and Geologic Stability: The proposed project is consistent with this policy because it is designed to ensure structural stability while not creating or contributing to erosion of geological instability.*

##### **Archeology:**

*Policy 4: Preliminary Site Survey for Development within Archaeologically Sensitive Areas applies to the project. The Preliminary Site Survey conducted for the parcel by "Archaeological Consulting" (Salinas CA) on June 3, 1993 found no historic or pre-historic materials on the property.*

##### **Environmentally Sensitive Habitats:**

*Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: The proposed project is consistent with this policy because it will not significantly disrupt the habitat and tree removal and site disturbance have been minimized. If trees are removed, Monterey Pine trees will be replaced on a two-to-one basis and Coast Live Oak trees will be replaced on a four-to-one basis.*

*Policy 2: Permit Requirement: The proposed project is consistent with this policy because there will be no significant impact on sensitive habitats and proposed development will be consistent with the biological continuance of the habitat.*

*Policy 3: Habitat Restoration: The proposed project is consistent with this policy because if removed, Monterey Pine trees will be replaced on a two-to-one basis and Coast Live Oak trees will be replaced on a four-to-one basis.*

*Policy 27: Protection of Terrestrial Habitats: The proposed project is consistent with this policy because there will be no impact to pine or oak trees on site.*

*Policy 28: Protection of Native Vegetation: The proposed project is consistent with this policy because tree removal and site disturbance have been minimized. If trees are removed, Monterey Pine trees will be replaced on a two-to-one basis and Coast Live Oak trees will be replaced on a four-to-one basis.*

*Policy 33: Protection of Vegetation: The proposed project is consistent with this policy because tree removal and site disturbance have been minimized through project design.*

***Does the project meet applicable Coastal Plan Policies:*** Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: None received as of February 14, 2006.

AGENCY REVIEW:

Public Works- None received as of February 14, 2006

Cambria Community Services District – “No Comment” 1/20/06

California Coastal Commission – None received as of February 14, 2006

Ag Commissioners office - None received as of February 14, 2006

Building Division – If using existing septic, it will need inspection and verification of location.

LEGAL LOT STATUS:

The existing lot was legally created by a recorded map (Tract 543) at a time when that was a legal method of creating lots.

Staff report prepared by Ryan Hostetter and reviewed by Matt Janssen.

## EXHIBIT A - FINDINGS

### *CEQA Exemption*

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the project is a small addition (600 square feet) to an existing single family residence.

### *Minor Use Permit*

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the guesthouse does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the guesthouse is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Buckley Drive, a local road constructed to a level able to handle any additional traffic associated with the project.

### *Coastal Access*

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

### *Sensitive Resource Area*

- H. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because the proposed guesthouse is designed around the sensitive species.
- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements because the proposed guesthouse is designed around these natural features.

- J. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.
- K. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff.

*Archeological Sensitive Area*

- L. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected because the project is required to stop if any resources happen to be found during construction. A survey of the site was conducted by a qualified archaeologist which found no resources on the site.

## **EXHIBIT B - CONDITIONS OF APPROVAL**

### **Approved Development**

1. This approval authorizes:
  - a. a request by Jude and Diedra Basile for a Minor Use Permit/Coastal Development Permit to allow the construction of a new 600 square foot single story guest house to the rear of the existing single family home. The project will result in the disturbance of approximately 600 square feet of a 1.08 acre parcel.
  - b. maximum height is 18 feet from average natural grade.

### **Conditions required to be completed at the time of application for construction permits**

#### ***Site Development***

2. Plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. The applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

#### ***Fire Safety***

4. All plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by Cambria Fire for this proposed project.

#### ***Services***

5. The applicant shall provide a letter from Cambria Community Services District stating they are willing and able to service the property.
6. The applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

### **Conditions to be completed prior to issuance of a construction permit**

#### ***Fees***

7. The applicant shall pay all applicable school and public facilities fees.

### **Conditions to be completed prior to occupancy or final building inspection/establishment of the use**

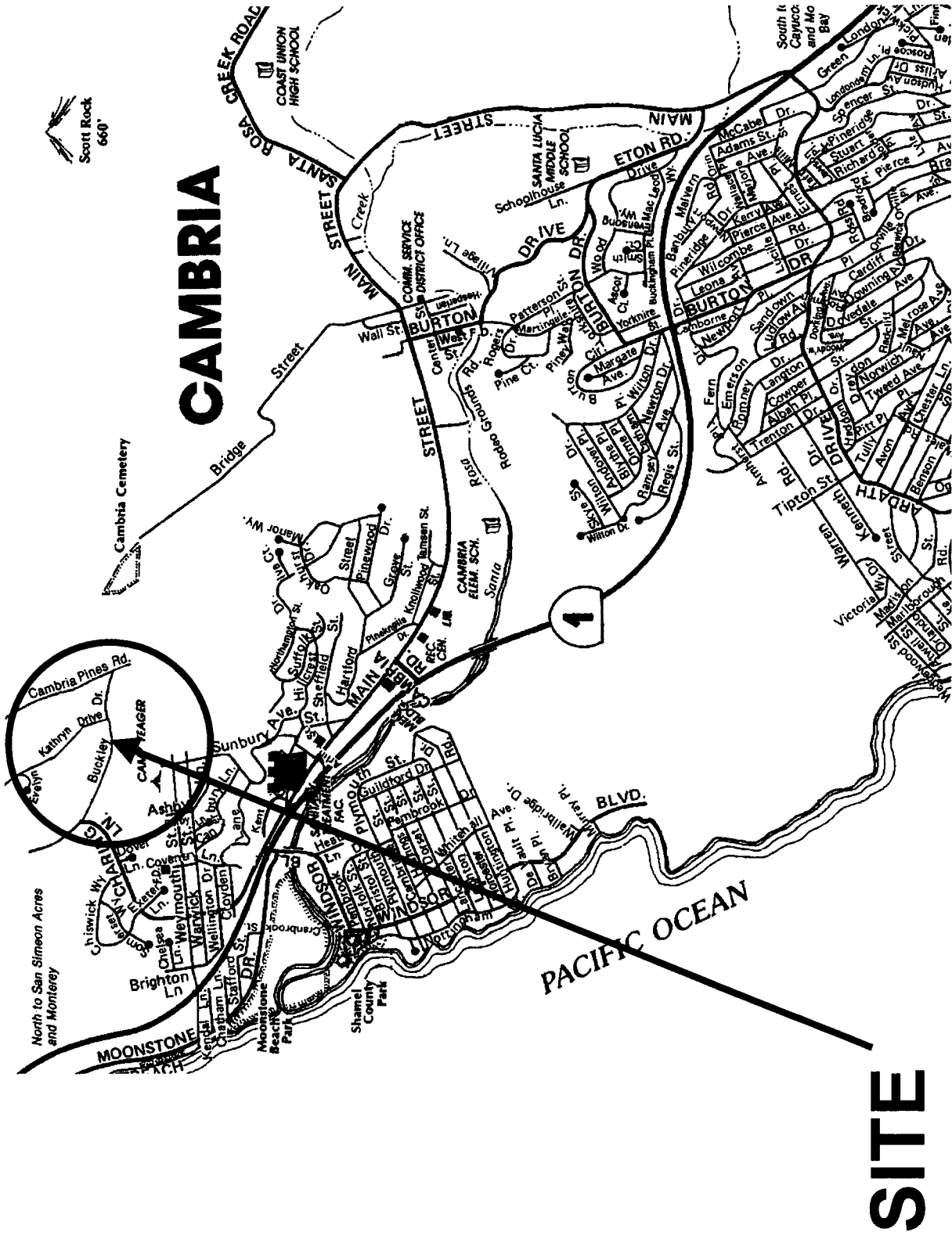
8. The applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.



9. The applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

**On-going conditions of approval (valid for the life of the project)**

10. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
11. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.



PROJECT

Minor Use Permit  
Basile DRC2005-00127

EXHIBIT

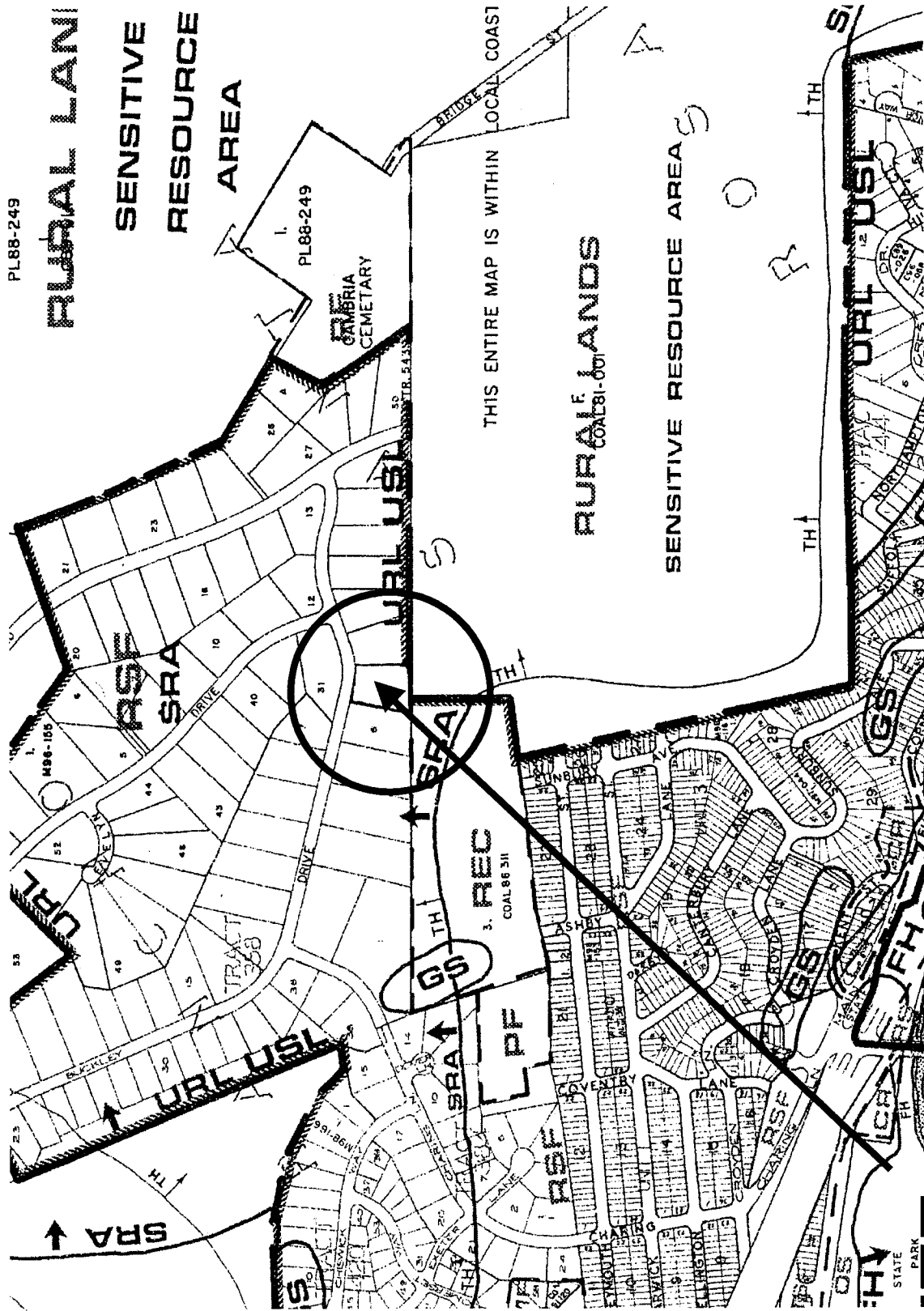
Vicinity Map



PL88-249

RURAL LAND

SENSITIVE  
RESOURCE  
AREA



SITE

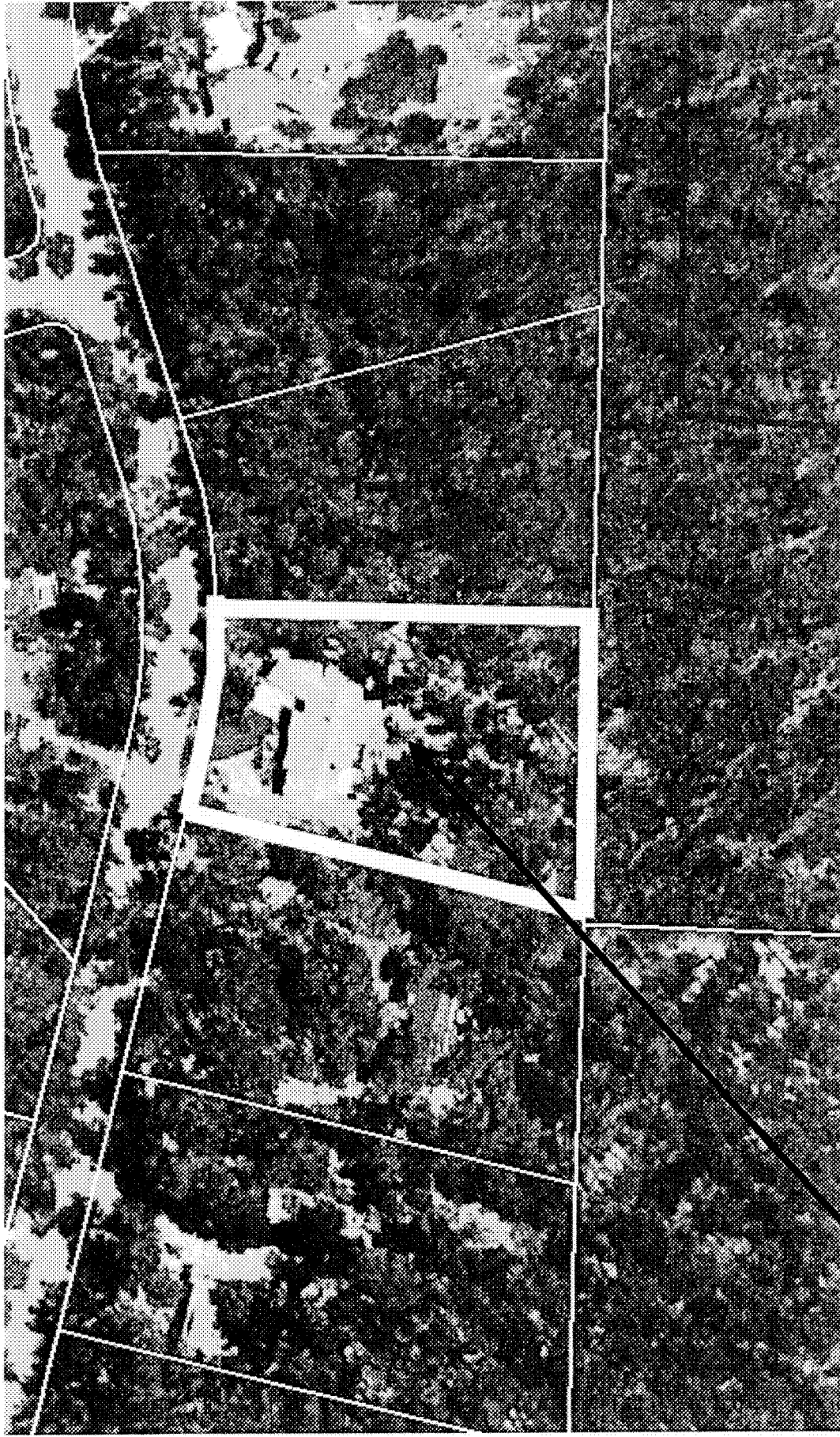
PROJECT

Minor Use Permit  
Basile DRC2005-00127



EXHIBIT

Land Use Category



**SITE**

**PROJECT**

Minor Use Permit  
Basile DRC2005-00127

**EXHIBIT**

Aerial



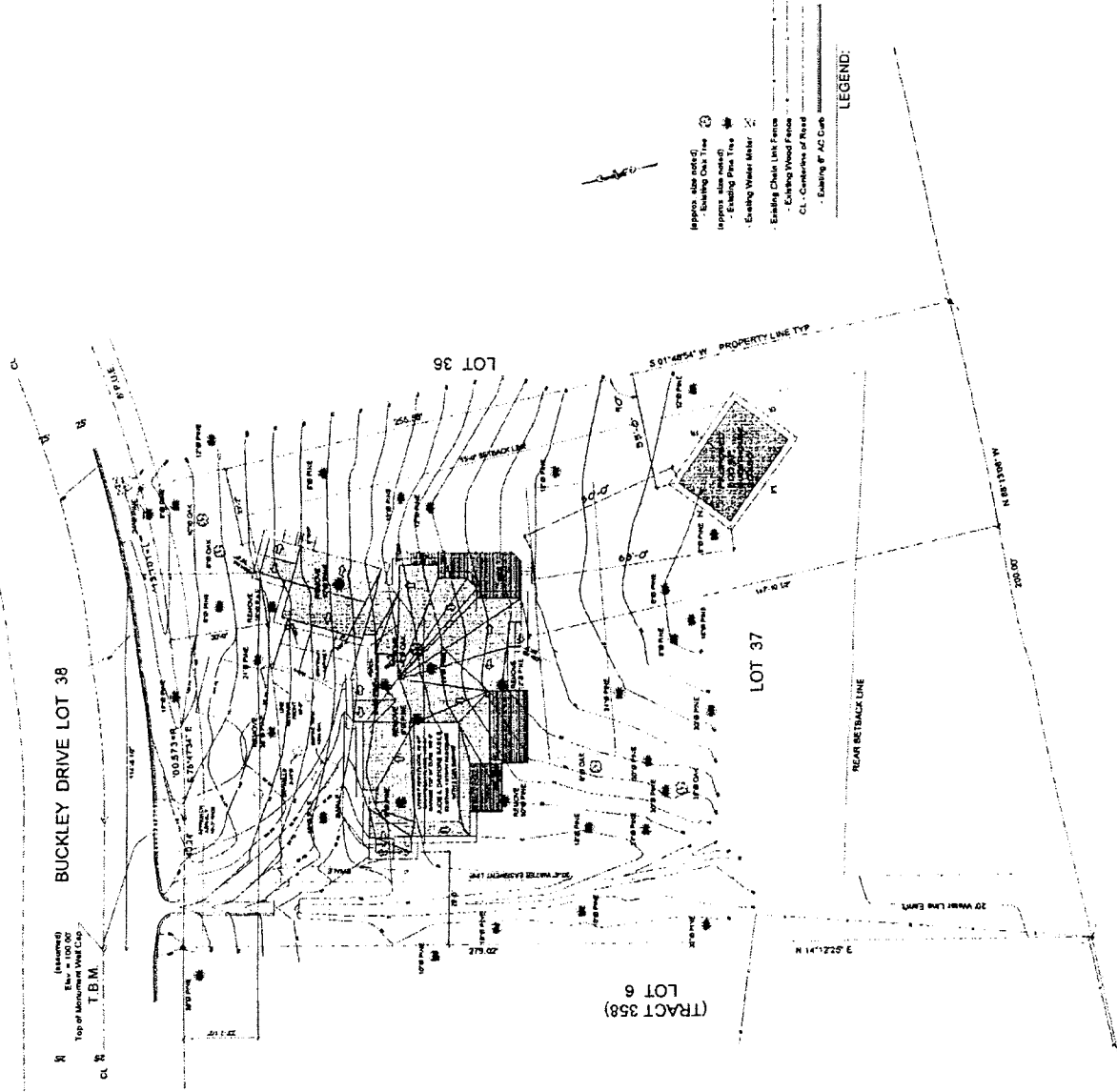
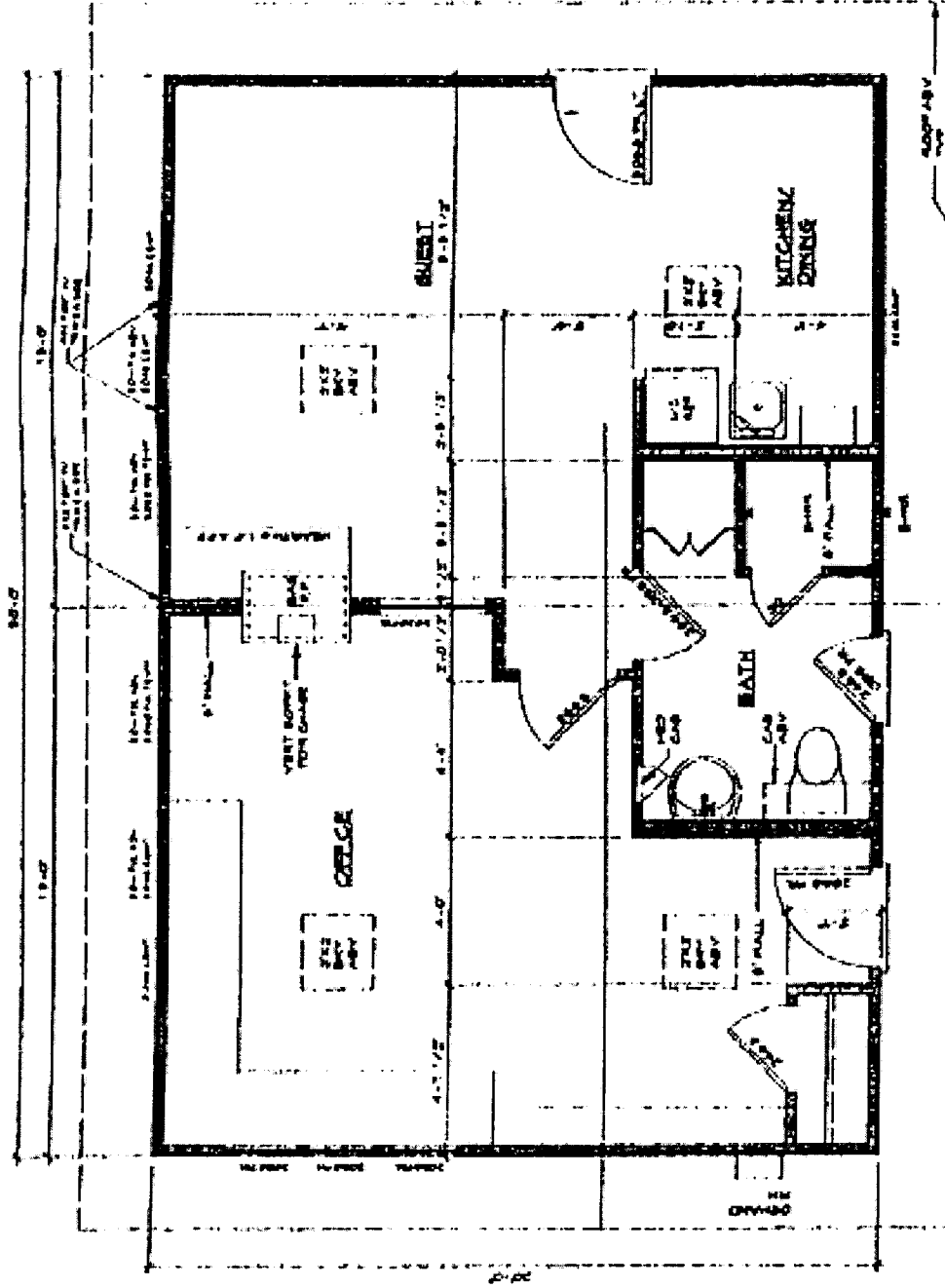


EXHIBIT Site Plan



PROJECT Minor Use Permit  
Basile DRC2005-00127



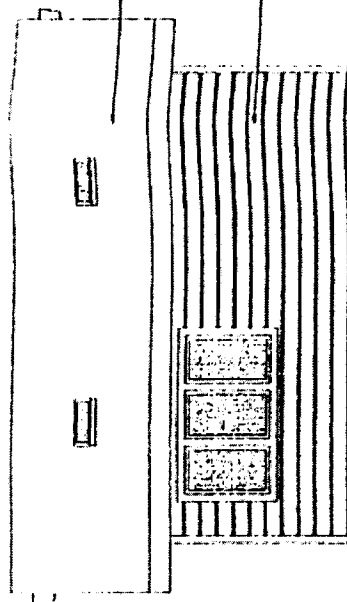
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Minor Use Permit  
Basile DRC2005-00127

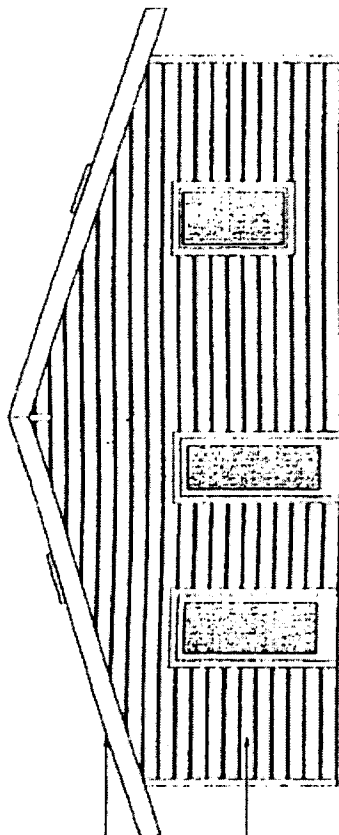
EXHIBIT

Floor Plan





ELEVATION



ELEVATION

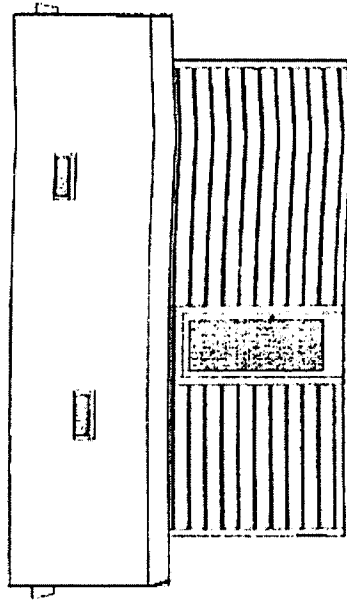
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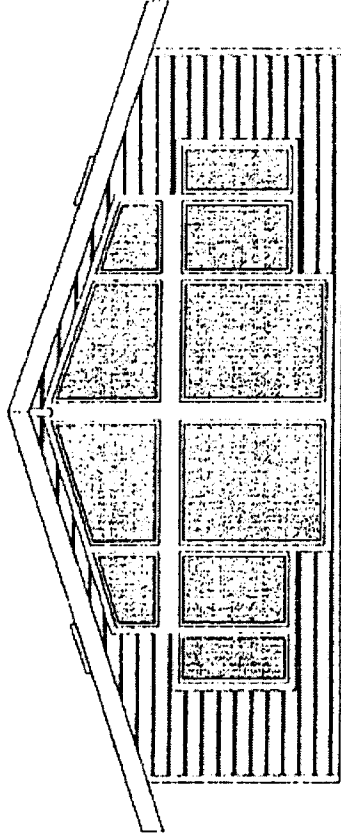
EXHIBIT

Elevation





ELEVATION



ELEVATION

PROJECT

Minor Use Permit  
Basile DRC2005-00127

EXHIBIT

Elevation

